

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JOHN SMITH,

Plaintiff,

V.

G&G QUICK STOP, INC., *et al.*,

Defendants.

Case No.: 5:19-cv-1298-LCB

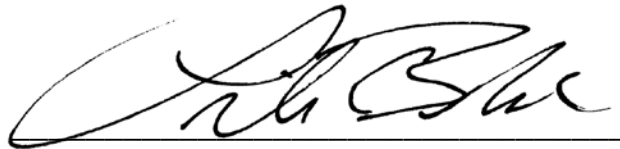
MEMORANDUM

The plaintiff filed a complaint on August 13, 2019. (Doc. 1). On January 25, 2021, the plaintiff filed a motion to voluntarily dismiss the case without prejudice. (Doc. 18). A party may voluntarily dismiss a lawsuit without a court order by filing a “notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The defendants in this case have not filed an answer or a motion for summary judgment.

Because the plaintiff has filed a notice of dismissal pursuant to Rule 41(a)(1)(A)(i), Fed. R. Civ. P., the “dismissal [was] effective immediately upon the filing of a written notice of dismissal, and no subsequent court order is required.” *Matthews v. Gaither*, 902 F.2d 877, 880 (11th Cir. 1990).

The Clerk of Court is therefore **DIRECTED** to close this case.

DONE and **ORDERED** January 26, 2021.

A handwritten signature in black ink, appearing to read 'L.C. Burke', is written over a horizontal line.

LILES C. BURKE
UNITED STATES DISTRICT JUDGE